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6 Attorneys for Defendants

7 UNITED STATES DISTRICT COURT

8 DISTRICT OF NEVADA

9 DR. TAM NGUYEN,  
10 Plaintiff,  
vs.

Case No.

(District Court, Clark County of Nevada  
Case No. A-12-665334-C)

11 LAS VEGAS METROPOLITAN POLICE  
12 DEPARTMENT, a political subdivision of the  
State of Nevada; Police Officer NAKAGAWA  
13 (LVMPD #5476), individually and as police  
officer employed by the Las Vegas  
14 Metropolitan Police Department; Police Officer  
GEIGER (LVMPD #9864), individually and as  
15 police officer employed by the Las Vegas  
Metropolitan Police Department; POLICE  
16 OFFICER JOHN DOES I-XX; and JOHN  
DOES I-XX, inclusive,  
17 Defendants.

**DEFENDANTS' NOTICE OF REMOVAL**

18  
19 Pursuant to 28 U.S.C. § 1441, Defendants LAS VEGAS METROPOLITAN POLICE  
20 DEPARTMENT, OFFICER NAKAGAWA and OFFICER GEIGER ("Defendants"), by and  
21 through their counsel, hereby remove this action to this Court. In support of this action,  
22 Defendants state as follows:

23 //././

24 //././

1           1.       This action was commenced in the Eighth Judicial District Court of Clark County,  
2 State of Nevada. The Complaint was filed in the Eighth Judicial District Court on July 17, 2012  
3 under Case No. A-12-665334-C. Defendants were served with process on August 8, 2012.

4           2.       This Notice of Removal is filed within thirty (30) days after receipt by Defendants  
5 of the Complaint, in compliance with 28 U.S.C. § 1446(b) and per this Court's decision in  
6 *Coleman v. Assurant, Inc.*, 463 F.Supp.2d 1164 (D. Nev. 2006) (providing thirty (30) days for  
7 removal after notice and/or service of each defendant). Pursuant to § 1446(a), a copy of the  
8 following are attached hereto as Exhibit A: (1) Complaint; (2) Summons to Defendants; and (3)  
9 Notice by Defendants of Removal of Action. On information and belief, no other pleadings have  
10 been served and no orders have been entered.

11           3.       Removal is appropriate pursuant to 28 U.S.C. § 1441(b), as this Court has original  
12 jurisdiction over this action pursuant to 28 U.S.C. § 1331 (granting district courts original  
13 jurisdiction over claims "arising under the Constitution, laws, or treaties of the United States").  
14 Plaintiff's Complaint asserts claims for violations of 42 U.S.C. § 1983. Defendants' first notice of  
15 this action was on August 8, 2012, the date that they were served with a summons and a copy of  
16 the Plaintiff's Complaint.

17           4.       The above-entitled action is a civil action for compensatory and punitive damages  
18 based on allegations of 42 U.S.C. § 1983 violations, false arrest, false imprisonment and  
19 intentional infliction of emotional distress. As to the non-federal claims, 28 U.S.C. § 1441(c)  
20 provides grounds for removal.

21           5.       Pursuant to 28 U.S.C. § 1446(a), the state court in which this action was  
22 commenced is within this Court's jurisdiction.

23           6.       Pursuant to 28 U.S.C. § 1446(d), Defendants file this Notice of Removal within  
24 thirty (30) days of receipt by Defendants of Plaintiff's Complaint in the state court action.

1           7. Pursuant to U.S.C. § 1446(d), Defendants certify that a copy of this Notice of  
2 Removal will be served promptly on Plaintiff and filed with the Clerk of the Eighth Judicial  
3 District Court, Clark County, Nevada.

4           DATED this 27th day of August, 2012.

5           KAEMPFER CROWELL RENSHAW  
6           GRONAUER & FIORENTINO

7           BY: 

8           LYSSA S. ANDERSON (Nevada Bar No. 5781)  
9           8345 West Sunset Road, Suite 250  
10           Las Vegas, Nevada 89113  
11           **Attorneys for Defendants**


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8345 West Sunset Road  
Suite 250  
Las Vegas, Nevada 89113

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that on this date I electronically filed the foregoing **DEFENDANTS' NOTICE OF REMOVAL** using the court's CM/ECF system which will send notification to the following:

Cal J. Potter, III, Esq.  
Potter Law Offices  
1125 Shadow Lane  
Las Vegas, Nevada 89102  
(702) 385-1954  
(702) 385-9081 - facsimile  
**Attorney for Plaintiff**

DATED this 27th day of August, 2012.



an employee of  
Kaempfer Crowell Renshaw Gronauer & Fiorentino